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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 215/2017**

**PREM LATA**

..... Petitioner

Represented by: Mr. Nityanand Singh, Adv.

versus

**STATE (GOVT OF NCT OF DELHI)**

..... Respondent

Represented by: Mr. Hirein Sharma, APP with  
SI Ajay Kumar PS Hari Nagar.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**14.03.2017**

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1. By the present petition, the petitioner seeks bail in case FIR No.386/2016 under Section 498A/304B/34 IPC registered at PS Hari Nagar wherein an alternate charge for offence punishable under Section 302 IPC has also been framed. The above-noted FIR was registered on the complaint of Sangeeta, mother of Alka, the deceased.

2. In the complaint to the SDM, Sangeeta stated that she had married her daughter Alka with Hanish on 2<sup>nd</sup> December, 2014 and during the marriage gave dowry beyond her capacity. She spent approximately ₹5 lakhs on the marriage. Despite the same, the in-laws of her daughter demanded ₹10,000/- which also she gave to them. It is alleged that at the time of retirement of petitioner i.e. mother of Hanish who was working in DMS she

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demanding ₹2 lakhs for purchasing a house, however as the complainant herself was under debt they refused to give the money. It is alleged that on 29<sup>th</sup> April, 2016 the petitioner called up Sangeeta at 4.00 PM asking them to come immediately. When she reached Delhi on 30<sup>th</sup> April, 2016 at 11.30 AM the house of their daughter was found locked from outside and on opening the bolt and switching on the lights they found their daughter hanging by Chunni to the fan. Hanish caught hold of the legs of her daughter and she along with her sister-in-law brought her down. Hanish, the husband of the deceased opened the chunni and thereafter a PCR call was made.

3. From the post-mortem report it is apparent that the incident did not take place on 29<sup>th</sup> April, 2016, when apparently a quarrel took place and the petitioner immediately informed the mother of the deceased.

4. Learned counsel for the petitioner submits that the only allegation against the petitioner is for demand of ₹2 lakhs for purchasing a house at the time of her retirement whereas petitioner retired from her services even prior to the marriage of her son. On a query put to the learned APP for the State as to when the petitioner retired, on instructions he fairly submits that the petitioner retired from service on 31<sup>st</sup> December, 2013 which is nearly a year prior to the marriage of the deceased with the son of the petitioner Hanish.

5. Considering the nature of allegations against the petitioner and that even prior to the death on the quarrel itself, the petitioner informed the mother of the deceased and called her, this Court finds it fit to grant bail to the petitioner who is in custody for nearly 8 and a half months. It is therefore directed that the petitioner be released on bail on her furnishing a

personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the learned Trial Court further subject to the condition that the petitioner will not leave the country without the prior permission of the Court concerned and will intimate any change of address during the trial by way of an affidavit to the learned Trial Court.

6. Petition is disposed of. Order dasti.

**MUKTA GUPTA, J.**

**MARCH 14, 2017**  
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